

ARIZONA WEEKLY CITIZEN.

TUCSON, PIMA COUNTY, ARIZONA TERRITORY, SATURDAY APRIL 7, 1894.

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This democratic puddle will be further stirred by the appointment of Judge Williams' clerk. When the time comes the republicans will wade in and carry off the prize.

This high wire collar of Wall street has again been adjusted to the neck of our democratic president and he has vetoed the seigniorage bill, which is said to be not in good form according to the gold code. A gorgeous feast of explanations to the silver men will accompany the veto.

Coxey's army will probably turn out to be about the same sort of an army as the 10,000 men that one, Henry Waterson, once upon a time threatened to take to Washington to forcibly inaugurate Samuel J. Tilden, president. General Waterson changed his mind before the time arrived, and if Gen. Coxey doesn't change his attitude he will probably consent to have at least three cuppers struck out of his figures representing the strength of his army before he gets there with it.

Tombstone is liable to be done up in a new and prospective deal that has been under consideration by the citizens of Cochise county for some time—the removal of the county seat of the county to some point on the line of the Southern Pacific. This is the result of much dissatisfaction which has arisen over the attempt of Tombstone politicians to hold the continuous control of the affairs of the county. Benson has been decided upon for the new seat and the issue will be made at the polls. The prospectors declare that the county is ripe for the change and sounds a note of warning to the fighting factions of Tombstone. The result will be watched with interest by the citizens of Pima county.

GEN. R. A. JOHNSON, of Tucson, formerly surveyor general of the territory, in this morning's Gazette gives an absolutely correct sketch of the fraud Reavis and his claim, as it is known by the citizens of this city who have followed the case from its inception, "grown up" with it in sight, as it were. Mr. Johnson in his report of the case to the government some years since had the resources of the office of the surveyor general, in this case, to draw upon and he made a most exhaustive, convincing report against one of the most stupendous and far-reaching frauds that ever was conceived; a fraud too that has been astoundingly bold and has hesitated at nothing that would tend to add to the appearance of good character to the scheme.—Herald.

REPUBLICANS have good reason to feel encouraged over the tariff outlook in the senate. The only thing that the republican members of the senate finance committee insisted upon in connection with the reporting of the bill to the senate was that the debate should not begin until Monday April 2, and they carried their point. The bill as reported is in such an unsatisfactory shape that it cannot be passed by the senate until material changes are made. This is admitted even by those democrats who are most anxious for it to pass. That gives the republicans a good fighting chance to defeat the bill outright, and it will be taken advantage of to the fullest extent. A democratic senator who desires the bill to pass remarked to another senator: "If the republicans are shrewd enough to vote solidly against striking out the income tax they can defeat the bill, as there are at least seven democrats who will never vote for the bill with that clause in it." There may be something in that, but great commercial pressure is being brought to bear upon republican senators for the purpose of getting them to vote to strike out the income tax. So far no binding agreement has been made by republican senators as to how they shall vote, but it is probably that some sort of an arrangement will be made to keep their votes together.

TO THE GOVERNOR seems to have but one idea, and that is to serve the best interests of every section of the territory as best he can. Diversified as are the demands of each different section of it, he has no idle task to perform. If our people were more united in the one grand work of building up Arizona, in place of tearing each other to pieces, the governor's work would be a much lighter one, and yet thus far in his administration we do not see but that he is fully equal to the occasion.

The foregoing is from the Yuma Sentinel and truthfully reflects the general sentiment of the territory in so far as the public actions of Governor Hughes are concerned. When a public official does what is right we believe in commending him for so doing, notwithstanding he but does his plain duty in doing so. To the line of his official duties Governor Hughes has heeded close and no known public act of his has yet been called into question or condemnation.

We do not, however, excuse or in any measure condone the vicious use to which the columns of the Star were long put in assailing the good names of many of our best citizens in his efforts to "play even" for real or fancied grievances, political, financial and social. But these are matters between himself and the injured ones and in no wise relate to his official duties as governor. We care nothing for the antagonism arising between himself and his party, for that is a democratic funeral and republicans are not among the mourners. We refer only to where the common weal of the territory is at issue and in all candor we are compelled to say that as governor he has done and is doing as well as any democrat could do, and a whole lot better than nine tenths of the men who are struggling for his place.

MONEY, says the Pomona, California, Times, keeps piling up in the New York

banks, which is proof that business is not reviving, notwithstanding all the reports of the cuckoo politicians to the contrary. When boss Cleveland started the panic by convening congress to forth destroy silver, the banks were \$42,000,000 short of legal requirements; since that date this sum has been made good from business, \$50,000,000 in bonds bought from the government by these same banks, and on last Saturday they held \$79,078,000 in excess of legal requirements. Summed up, there was in use employing men, buying and manufacturing, raw material and transporting it from point to point \$170,000,000 more one year ago than today. And yet the cuckoo politicians and papers say business is reviving, with country overrun with more idle men than ever before since the declaration of independence—nearly 125 years ago.

The house committee on judiciary have wisely tabled the resolution proposing an amendment to the constitution acknowledging the supreme authority of Almighty God in the affairs of nations and men.

COMMANDER FAYE who so gallantly led his army of invincibles about a week ago is in hard luck in Texas. The railroads have decided that he must pay his fare or walk. The citizens of El Paso generously sent a supply of provisions to his stranded army.

DR. TRENCH, head of the Soldiers Home, at Santa Monica, California, is dead. The doctor is well known to a number of the old soldiers here and his death, because of his many kindly acts, is generally regretted.

The Industrial Army fare worse as they get further east. At Buffalo, New York, a company of these pilgrims applied for lodging at the police station and were accommodated behind the bars.

Next morning they were arraigned as vagrants and about thirty-five of them sent up for fifty days.

A worthy and patriotic effort was made by congress to recover the wrecked Kearsarge, and a vessel was sent for the purpose of getting her off the reef on which she had so unfortunately stranded. This, however, proved to be a labor lost as the vessel was found to be a total loss. She was of gallant memory.

MAHSAH MEADE made short work of the Graham county mail robbers. When they left the county they left it in iron for the lock up. Sheriff Olney also proved himself no slouch at the business of robber catching. Such prompt work will have a tendency to discourage the free way some people have in handling Uncle Sam's mails.

AFTER experimenting considerably Veterinary Surgeon Norton has reached the positive conclusion that genuine glanders are prevalent among the horses in the Salt river valley. The disease is of a most dreadful character and severe measures must be adopted to rid the valley of its terrible presence. Already 28 horses have been destroyed and nearly 50 others are now in quarantine. It will take years, however, notwithstanding the greatest care to free the country from it.

THE appointment of Gresham as secretary of state and Wayne McVee as an ambassador show that there is more joy under the present administration at the capture of one Mugwump than at the faithfulness of ten thousand old-time Bourbon.

The foregoing tender morsel is from the Los Angeles Express. It is full of consolation to the democrats as it is full of meat. If the democrats can't hold office for themselves they have the intense satisfaction of seeing the fat and responsible places within the gift of the administration filled with mugwumps. They are in the position of the boy who was promised by his father that if good he would be taken to the park where he could watch the little boys eat ice cream.

MISCONSTRUCTING A TREATY.

In agitating the admission of New Mexico, says the San Francisco Bulletin, some effort is apparently being made to establish a claim on congress under treaty provisions. It is urged that the treaty promises that New Mexico shall be made a state at an early date. This is apparently a misconception of a clause of the treaty of Guadalupe Hidalgo. Article IX provides that the Mexicans in the ceded territory who do not preserve their Mexican citizenship shall be incorporated into the union of the United States and be admitted at the proper time (to be judged of by the congress of the United States) to the enjoyment of all the rights of citizens of the United States. This article has no reference to the admission of New Mexico, or any other portion of the ceded territory, as a state of the union. It was intended especially to cover the case of the Pueblo Indians. Their semi-civilized condition made Mexico solicitous about their ultimate conditions under American rule. They were not at the time proper material for American citizenship. Recently there has been some agitation in favor of their admission to citizenship, but no decision has yet been reached.

The late grand jury, in their final report, paid District Attorney Hereford a neat and well deserved compliment for the able and efficient manner in which he presented the cases to that body, thereby enabling them to act promptly and with dispatch in disposing of the business before them.

LAND GRANT SETTLEMENT.

Southern Arizona has stood by the roadside of progress for 10, these many years and has watched towns spring in

existence, communities flourish and the labor of the homeseeker and the husbandman bless the land. The desert has for long been its barrenness and the grain waves in the passing breeze and orchards bloom where the deadness of desert desolation had hung since time was young and an earlier civilization had passed away. But Southern Arizona neither moved nor spoke. The hand of the great climacter was on her throat and her limbs were shackled by their ever-increasing rapaciousness. For years she struggled in vain to free herself of her oppressors and now the time has come when through the providence of God and the judges of the land court she is to be free.

In saying this we have no desire to deprive the grant claimants of one single acre of ground they legitimately and honestly possess. Property rights in grants are as sacred to the grantees as the homestead is to the individual settling more or less. But Southern Arizona has been ridden to death by grant claimants whose only show of ownership was a "shadow of title" and an audacious claim. A very small beginning satisfied them, but every mineral discovery, and every far field wrested from the wilds of nature by the toiling husbandman invited them a little farther. Then lines were made to lap lines till the claimants, standing on the mountain tops bluffly exclaimed: "All that we see is ours." And certainly it was, so far as money and persistence could confirm their right. But a little creating a land court passed congress and became a law. A court, composed of five judges taken from the best legal talent of the country was created, and the wheels of adjustment began to move with its organization.

The result has been splendid, the achievement grand. The claimants, who for years had clamored for a settlement of titles when offered the opportunity refused, except in the case of the San Rafael de la Zanja, to enter court, but held back and asked the government to compel them to go in. This was done and as a proposition of law the legality of the acts under which these so called grants were created were exhaustively submitted to the court, and by the court found void and inoperative.

Yesterday a decision was handed down which sounds the death knell to grant pretensions in southern Arizona. The grant claimants have a thousand times averred that they wanted only what was right. "If," said they, "the grants are ours we want them, but otherwise not." The "otherwise" has been decreed by the court and a half way house has at least been reached. Most of the cases, we presume, will be taken to the supreme court of the United States for final adjudication, but a great and a glorious beginning has been made.

For this the court and its officers have the everlasting gratitude of the people of southern Arizona. To be enabled to reach these conclusions an enormous amount of labor was involved. The records of old Mexico had to be searched and the laws of that country studied in order to determine the true status of the grants. The burden of this devolved largely on the representatives of the government and the people. Hon. Matt Reynolds and his associates. The statutes had to be cleaned, but they cleaned them and cleaned them well. Mr. Reynolds has a genius for the business. No occasion rose that he did not rise equal to it and above it. His knowledge and interpretation of the many-sided laws at issue were surprising even to his friends, but it was evident from the opening of the chapter that a master mind and a master hand had risen for the occasion. He deserves well of the people of southern Arizona.

W. H. Burnes was his associate in the case and contributed largely to its success. His Spanish law library is one of the finest in the territory and his researches therein have been most valuable. He held from the beginning that the laws under which the grants claimed title were not valid and the result has verified his judgment in the matter.

In summing the grand results the services of Lieut. Plummer must not be forgotten. His versatility and knowledge of the Spanish language enabled him to reach laws and unearth records that were invaluable in the proper presentation of the matter to the court. He is deserving of the highest praise for his ability and fidelity in the cause of the people.

Electric Bitters.

This remedy has become so well known and so popular as to need no special mention. All who have used Electric Bitters sing the same song of praise. A pure medicine does not exist and it is guaranteed to do all that is claimed. Electric Bitters will cure all diseases of the liver and kidneys, will remove pimples, boils, salt rheum and other affections caused by impure blood. Will drive malarial fevers. For cure of headache, constipation and indigestion try Electric Bitters. Entire satisfaction guaranteed, or money refunded. Price 50 cents, and \$1.00 per bottle at Geo. Martin, Druggist.

Two Tucson ladies were baptized in the Episcopal church this morning.

Tucson real estate is in good demand, with prices generally stiff and an upward tendency.

Work will probably be instituted shortly on the residence at the driving park to be put up for Jock Blinckhorn.

The famous Tombstone superiors' wrangle has been brought to Tucson. It was argued in district court this afternoon before Judge Sloan.



KNOCKED COLD!

Four Land Grants Decided Against.

All Others Likely to Face the Same. The Sonora, San Rafael del Valle, Babocomari and Nogales Grants.

Every land grant in Arizona has practically been knocked cold. The land court this noon, handed down decisions in the Sonora, San Rafael del Valle, Babocomari and Nogales the Elias grants, against them all. The one principle will hold good against all other grants.

The principle of the decision in the San Rafael del Valle and Babocomari grants is that the state of Sonora has no power to make grants. This opinion was based on the decree of Santa Ana, dictator of Mexico from 1853 to 1855, who in 1854 declares all grants whatsoever made by the states and provinces of Mexico void.

All grants in Arizona, it is claimed, with the exception of the Sonora grant, were from the state of Sonora. The grants in question were as follows: Sonora, made in 1821, area 9,000 acres. Babocomari, made in 1832, area 36,000 acres. San Rafael del Valle, made in 1833, area 18,000 acres.

Nogales de Elias, made in 1844, area 10,000 acres, (in Arizona). The opinion of the court was dissented to in the Sonora grant by Justices Fuller and Stone, and in the San Rafael del Valle by Justices Sluss and Stone.

The Nogales grant was rejected unanimously. This was a stunner to the counsel for the grant in question, they having filed a petition for a rehearing of the case on the ground that the only consideration was seven and a half leagues, thus getting enough land in the grant to reach into Arizona and include the town of Nogales. With the grant knocked out the application will hardly prevail.

Attorneys Ford and Col. Haring, for the grant people, announce that the case will be carried to the supreme court of the United States.

THE SONORA GRANT. The court of private land claims this morning held the Sonora grant void upon the following ground: The proceedings were initiated on the 29th of May, 1821. Various steps were taken under the alleged customs prevailing at that time down to the 12th day of November, 1821, when it was claimed the purchase money was paid but no grant title was issued thereon until the 15th day of May, 1825, by Juan Miguel Riesgo, commissary general of the treasury of public credit and war of the republic of Mexico for the State of the West.

Justice Sluss, in his opinion, held first: that on March 18, 1821, the plan of Iguala was adopted, which was the declaration of independence. That declaration was carried to a successful termination and under the revolution of September 27, 1821, the city of Mexico was evacuated and the provisional government established, composed of a congress of five and a legislative junta. He held that no equities rested in the purchaser until the purchase money was paid, which was subsequent to the date of the independence. It was compelled to cease when the rebellion broke out, the stages being stopped in Texas.

SANTA CRUZ WATER.

CHEMICAL ANALYSIS DEMONSTRATES ITS PURITY.

It is no uncommon thing to hear reference made to the impurity of Tucson water and to charge half the ills that flesh is heir to its use. These statements, however, are not borne out by facts, as repeated analysis demonstrate the water to be almost absolutely pure and free from organic matter. In evidence thereof we submit two analysis of the water. One was made March 22, 1893, the other March 27, 1894. The latter shows a decided improvement on the former. This comes from much use of the water, which use has a tendency to lessen the organic matter carried in solution.

An analysis of the water at El Paso, Tex., shows that to every 55 grains of solid matter per gallon, of which 22 of that is salts, against 41 grains of solid matter, of which 17 is salt in the Santa Cruz water.

The following are the analysis of the latter referred to:

| UNIVERSITY OF ARIZONA, Tucson, March 27, 1894. | |
|---|-------|
| Analysis of water from Parker's water works, to determine value for irrigation of mill purposes. Sample taken March 25, 1894. | |
| Temp. at boiling. | 100.0 |
| Total residue on evaporation, at a temperature of boiling water. | 40.0 |
| Loss by ignition at low red heat, combined water and organic matter. | 3.5 |
| Residue insoluble in water, common salt, Glauber's salt, etc. | 14.5 |
| Residue in solution, but not soluble in acid, lime, soda, etc. | 19.0 |
| Residue insoluble in boiling water, silica-sand. | 2.5 |
| ANALYSIS OF WATER SOLUBLE RESIDUE. | |
| Sodium chloride, common salt. | 2.0 |
| Calcium chloride, common salt. | 11.5 |
| Calcium sulfate, common salt. | 1.5 |

official functions for the purpose of preserving peace and good order, and the rights of property as they existed. The subsequent legislation was enacted authorizing any one to complete titles or to reform initiated titles, and that the acts of all Spanish officials with reference to the public domain subsequent to the plan of Iguala, March 1st, 1821 and the establishment of the provisional government, Sept. 1821, were void.

The substance of this branch of the case, is that no act of the Spanish officials with reference to the public domain subsequent to March 1st, 1821, could bind the Mexican government and therefore did not bind this government. Upon the proposition that Riesgo was a Mexican official who is alleged to have issued the title and therefore his authority must be presumed, he holds that he was a creature of the law and that an examination of the act under which his office was created defined his powers and duties and did not authorize him to grant lands, complete titles or confirm the same in any way. This being a creature of the statute his powers must be measured thereby and the principal of presumption did not apply.

OLD TIMERS' TALES.

"When did I come here, eh? Young man, do you see those hills over there? Well, when I came here they were holes in the ground." Judge Meyer had been asked as to the age in which he came to Tucson. He finally admitted that it was A. D. 1857, and that he was one of the "Heros of California." He remembers the old war of Tucson, when Tucson tried to the characteristics of all old towns, was a walled village guarded by a day and by night armed soldiers, sent out by the Mexican government, a small town, the plain then ran at will. They shot the freights and ran away with their horses. The rancher's beef made up their guard posts. The settlers and their little ones made amusement for them in the agonies of any death they chose to inflict. So it came that Tucson was walled about by an adobe wall two feet thick, and ten feet high. Within it was comparative safety. Such was Tucson in 1857. The village had 300 inhabitants, families of ranchmen or employees of the Overland Stage company, or merchants and contractors who lived off the soldier. Old Tucson is located about the present site of the Congregational church. The plaza then occupied was in those days a huge court, and around it, on every side, opening into the great patio, was the house. There lived the early denizens of Tucson. The city limits then were Washington street to the north, Pennington to the south, Church to the east and Main to the west. One well supplied the town. It was in the rear of where Mrs. Hiram Stevens now resides.

The torren, or lookout, was where soldiers sat and smoked corn husk cigarettes and viewed the land. It was a two-story building near the present city works. It was torn down five years ago, the last relic of the presidio of Tucson. The reduction of the city began with the arrival of American troops in 1858. Major Hunter started their downfall. Bit by bit it went down, the town extended, new houses went up, the railroad came and Tucson became the thriving commercial city it is today.

The old judge tells with pride of one early institution, the Overland Stage company. "They used to use to bet on the arrival of the stage within five minutes," said he. "The stage minded not God or man; its only aim was to get through on time. It never failed to come, once, and that was when the driver tried to ford the Rillito at flood height and was washed down stream. The stage ran from San Diego to St. Louis. The stations were about fifteen miles apart. At each station six horses were in harness, ready to be put in. The stops were five minutes, except for meal stations; then it was twenty minutes. It was a grand sight to first hear the far-away toot of the bugle, then hear the rattle of the coach and the rattle of the horses hoofs coming in at their best gallop. All would get off and eat and be away again, in twenty minutes. Several times I saw men who would go off to get a new hat or a cigar or something, when the stage was due to start. The next would be the toot of the horn as the stage started out and the man would rush out and request that the stage hurry. 'Wait two days for the next stage,' was the only consolation he got, and there was nothing else for it."

The stage company got \$500,000 a year from the government besides what it could make. It was compelled to cease when the rebellion broke out, the stages being stopped in Texas.

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